

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA263-16-AP-0611

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source: Provide original manufacturer's name for material or contractor's name for service. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer/Contractor: Biofire Diagnostics LLC

Manufacturer/Contractor POC & phone number: Debbie King

Mfgr/Contractor Address: 390 S Wakara Way, Salt Lake City, Utah 84108

Dealer/Rep address/phone number: Debbie King 801-736-6354 ext 552

☐ The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

NCO 23 Contracting Activity

4801 Veterans Drive

St Cloud MN 56303

VISN:

23

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

A firm fixed price delivery order for the purchase of test kits for the BioFire Array Instrument. The purchase of the verification kits for validating the new instrument.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

Respiratory Panel Kit, The Blood Culture Identification Panel Kit, The Gastrointestinal Panel Kit and The Meningitis Panel Kit. The verification startup packages for the respiratory panel, the blood culture identification panel, the gastrointestinal panel and the meningitis panel.

(b) ESTIMATED DOLLAR VALUE: \$205,188.63

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(c) REQUIRED DELIVERY DATE: 01/25/2016

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE. (CHECK ALL THAT APPLY AND COMPLETE)

☒ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

Biofire is the original equipment manufacture of the kits that only work with the equipment that the Medical Center already has in use. The BioFire Film Array instrument is newly acquired and needs to be validated/verified for patient testing. The BioFire Film Array instrument uses very specific tests kits which are the only test kits that may be used with this system. BioFire Diagnostics is the only company that provides these test kits.

☐ A patent, copyright or proprietary data limits competition. The proprietary data is:
(If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

☐ These are "direct replacements" parts/components for existing equipment.

☒ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

Biofire is the original equipment manufacture of the kits that only work with the equipment that the Medical Center already has in use. The BioFire Film Array instrument is newly acquired and needs to be validated/verified for patient testing. The BioFire Film Array instrument uses very specific tests kits which are the only test kits that may be used with this system. BioFire Diagnostics is the only company that provides these test kits.

☐ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

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☐ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

BioFire Diagnostics kits will be purchased from GSA Contract No. V797D-30085, these prices have already been determined to be fair and reasonable under FAR part 8, therefore this purchase will be considered fair and reasonable.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

Market research was conducted and found that BioFire Diagnostics is the OEM of the test kits, therefore these kits can only be purchased from BioFire.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

The packaging of the test kits prohibits purchasing on an individual basis.

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

None

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(9) REQUIREMENTS CERTIFICATION: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

Kimberly S. Hemrick
SIGNATURE
Kimberly S. Hemrick
NAME
Omaha VA Medical Center
FACILITY
Supervisor Microbiology/PCR
TITLE
Pathology/Laboratory
SERVICE LINE/SECTION

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM, Volume 6, Chapter VI: OFOC SOP: *This part if filled out by Contracting Staff as part of the Justification*

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Wendy S Hoeschen
197722
CONTRACTING OFFICER'S SIGNATURE
2/12/16
DATE

WENDY HOESCHEN
NCO 23

b. Branch Chief: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

CHRISTOPHER T VOLK
253738
SIGNATURE
2/16/2016
DATE

Christopher Volk
JENNIFER MYERS-KING
BRANCH CHIEF- SUPPLY